

STATE OF COLORADO

Bill Ritter, Jr., Governor
Martha E. Rudolph, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department
of Public Health
and Environment

October 15, 2010

Scott Surovchak
LM Site Manager
U.S. Department of Energy
11025 Dover Street, Suite 1000
Westminster, CO 80021-5573

RE: RFLMA Contact Record 2010-02

Dear Mr. Surovchak:

The Colorado Department of Public Health and Environment approved RFLMA Contact Record 2010-02 on April 15, 2010. In the interim the surrounding communities have raised concerns, including the potential violation of Institutional Control #2, as documented in the CAD/ROD and the Environmental Covenant. In addition, the schedule for implementing actions that would require this approval is years in the future. In light of these considerations, our approval of Contact Record 2010-02 is withdrawn.

This withdrawal of approval will allow for further consideration of concerns raised by the communities and possibly clarification of Institutional Control #2 before potential reconsideration of the contact record.

Please let me know if you have any questions regarding this retraction of our previous approval.

Sincerely,

Carl Spreng
RFLMA Project Coordinator

cc: Rick DiSalvo, Stoller
Vera Moritz, EPA
Walter Avramenko, CDPHE
Dan Miller, AGO